

1996

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Ms Follett)

Henry Follett

Crimes (Amendment) Bill 1996

**A BILL
FOR**

An Act to amend the *Crimes Act 1900*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

1. This Act may be cited as the *Crimes (Amendment) Act 1996*.

5 Commencement

2. This Act commences on the day on which it is notified in the *Gazette*.

Principal Act

3. In this Act, "Principal Act" means the *Crimes Act 1900*.¹

10 Insertion

4. After section 34 of the Principal Act the following section is inserted:

Job No.: 1996/7

Stalking etc.

“34A. (1) A person shall not stalk or perform an intimidatory act against another person with intent to cause—

- (a) apprehension or fear in the other person; or
- (b) physical or mental harm to the other person or a third person.

Penalty:

- (a) where—
 - (i) the offence involved a contravention of an injunction or other order made by a court or a condition of bail; or

- (ii) the offender was in possession of an offensive weapon;
imprisonment for 5 years; and
- (b) in any other case—imprisonment for 2 years.

“(2) For the purposes of subsection (1), a person shall be taken to stalk another person if he or she—

- (a) follows or approaches the other person;
- (b) loiters near, watches, approaches or enters a place where the other person resides, works or visits; or
- (c) keeps the other person under surveillance.

“(3) For the purposes of subsection (1), a person shall be taken to perform an intimidatory act against another person if he or she—

- (a) interferes with property in the possession of the other person;
- (b) gives or sends offensive material to the other person or leaves offensive material where it is likely to be found by, given to or brought to the attention of, the other person;
- (c) telephones or otherwise contacts the other person;
- (d) acts covertly in a manner that could reasonably be expected to arouse apprehension or fear in the other person; or
- (e) engages in conduct amounting to harassment or molestation of the other person.”.

NOTE

Principal Act

1. Reprinted as at 31 January 1994. See also Acts Nos. 38, 46, 75, 84, 86, 97, 98, 1994; Nos. 2, 3, 49 and 50, 1995.

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